

EXHIBIT 2

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In Response Ref to File No. 43000

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October 9, 2014

HAND DELIVERED

Mr. Anthony M. Feecherry, Chair
Wenham Zoning Board of Appeals
Wenham Town Hall
138 Main Street
Wenham, MA 01984

Re: Maple Woods Housing LLC (the "LLC" or the "Applicant")
Comprehensive Permit Application
For Property Located at 62 Maple Street, Wenham, Massachusetts
Assessor's Map 23, Parcel 16

Dear Board Members

This document comprises an application, pursuant to M.G.L. Chapter 40B, the regulations promulgated thereunder, and the regulations promulgated by the Wenham Zoning Board of Appeals (the "ZBA") with regard to a Comprehensive Permit to authorize the construction of sixty (60) age-restricted rental units in a single structure (constructed in two phases) on land comprising approximately 3.5 acres located at 62 Maple Street, Wenham, Massachusetts (the "Property" or the "Site").

1.0 The Applicant

The within application is filed by Maple Woods Housing LLC, which is a single-purpose entity wholly owned subsidiary of and controlled by Harborlight Community Partners, Inc.

("Harborlight"), a Massachusetts 501(C)(3) not-for-profit corporation, with a principal address of 283

Elliott Street, Beverly, Massachusetts, 01915. A copy of the Applicant's Certificate of Organization as filed with the Massachusetts Secretary of State is attached hereto as Exhibit A. The Applicant is represented by Andrew DeFranza, the Executive Director of Harborlight. The Applicant will be the owner of the Property and developer of the Project.

The Development Team is as follows:

- A. DEVELOPER
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Any questions should be directed to my attorney, Theodore C. Regnante.

2.0 Limited Dividend Organization

The Applicant is a single-purpose entity wholly owned by Harborlight Community Partners, Inc., which is a 501(C)(3) non-profit corporation, and as such the Applicant qualifies as a nonprofit entity.

3.0 Project Subsidy

The Applicant has received a site approval letter from the Department of Housing and Community Development (the "DHCD") pursuant to the Local Initiative Program ("LIP"), a copy of which is attached hereto as Exhibit B. The Project Eligibility Letter issued by DHCD satisfies the jurisdictional subsidy requirements established under the Act and the regulations promulgated thereunder. DHCD and the Applicant have given required notices of the Project and the issuance of said Project Eligibility Letter to the Town of Wenham Board of Selectmen. Copies of such notices are attached hereto as Exhibit C.

The Project Eligibility Letter issued by DHCD makes the findings required by 760 CMR 56.04(4), including a finding that the Applicant controls the Site pursuant to 760 CMR 56.04(4)(g). Pursuant to 760 CMR 56.04(6), the determinations made by the Subsidizing Agency are conclusive, and any challenge to such determination may be made "solely upon the grounds that there has been a substantial change affecting the project eligibility requirements set forth at 760 CMR 56.04(1)."

4.0 Site Control

The Applicant controls the Property within the meaning of the Act. The Property is controlled by the Applicant pursuant to an Option to Purchase dated April 3, 2014 with Robert N. Burnett, as Trustee of the Cedar Realty Trust. The deed into the Cedar Realty Trust is recorded in the Essex South Registry of Deeds in Book 7260, at 248. A copy of the Option to Purchase is attached hereto as Exhibit D. An Approval Not Required ("ANR") Plan is included herewith, for endorsement by the Board, acting as the Planning Board, pursuant to the authority granted by G. L. c. 40B, §§ 20-23, in order to create the lot lines depicted on the Site Plans.

The transfer of the Property will be subject to the Town of Wenham's right of first refusal pursuant to G. L. c. 61. The Seller will be required to comply with the notice requirements of G. L. c. 61 at the time of the execution of the Purchase and Sale Agreement with the Applicant. The Applicant will take the necessary steps to ensure that such notice is provided within the statutory period.

5.0 The Property

The Property consists of approximately 3.5 acres located behind and to the left of the building at 62 Maple Street, near the intersection of Maple Street and Burley Street. The Property is shown on a set of plans entitled Maple Woods Preliminary Comprehensive Permit Plans, dated October 7, 2014 prepared by Meridian Associates, Inc. (the "Site Development Plans"). Such plans fulfill the requirements of 760 CMR 56.05(2)(a), preliminary site development plans. Additionally, the Applicant has submitted pictures of the surrounding area including nearby houses and aerial photographs. Such material, along with the existing conditions narrative contained herein, fulfills the requirement for an existing conditions summary contained in 760 CMR 56.05(2)(b). Proposed design features and floor plans and exterior elevations for the proposed sixty (60) unit structure are shown on a set of plans entitled Maple Woods Schematic Design, dated October 7, 2014, prepared by Siemasko and Verbridge. (the "Architectural Plans") (collectively the Site Development Plans and the Architectural Plans are referred to as the "Project Plans"). The architectural plans submitted herewith fulfill the requirement for submitting preliminary, scaled architectural plans contained in 760 CMR 56.05(2)(c). The Project Plans are filed with this application and are made a part hereof by reference. Under the Act, plans filed with a Comprehensive Permit Application may be preliminary plans, and the Applicant reserves the right to revise the Project Plans prior to final approval of the

Project.

6.0 Project Description

A. Building Summary

Building Use: R2 Apartments
Construction Type: 5A
Building Area: 18,588 Square Foot Building Footprint
Project Datum Elevation: 67.5'
Fire Protection: Fully Sprinkled

B. Site Summary

Located on an undeveloped wooded area, the closest point from the proposed structure to Maple Street is approximately three hundred and ninety feet (390'), and more than two hundred and eighty (280') from the closest abutting single-family house. The proposed structure is an L-shaped building located at the rear of the Property beyond the proposed parking lot and access drive from Maple Street. There will be sixty-six (66) parking spaces provided for residents, staff and visitors, along with a maintenance loading area and fire department access to the rear of the proposed building. Fencing will separate the proposed access drive from abutting properties. A six-foot (6') wide sidewalk is proposed along the curved entry drive and parking lot, providing pedestrian access from the proposed building to Maple Street. The proposed structure and associated parking area will be surrounded by existing wooded area (which is proposed to be retained), effectively shielding the Project from view from abutting properties.

C. Building Organization Description

The Project will consist of a single three-story structure containing 57,390 square feet of area. The Project will consist of sixty (60) one-bedroom apartment units with various common spaces for residential use. Each apartment will have approximately 650 square feet of area, and will include a

full kitchen with Energy Star appliances, a large bathroom with bathtub, an open living room/dining room, and a single bedroom. A kitchen pantry, bedroom closet, and an additional storage room are included in the apartment layout to provide residents with ample storage area. Patios and/or balconies will be provided for the lower-level apartment units, and the third floor apartment units are designed to accommodate Juliet balconies. There will be three (3) handicap-accessible units, which will include the same amenities as the other apartment units.

The proposed structure will be constructed in two phases, Phase I will include thirty (30) units and most of the common spaces while Phase 2 will include the remaining thirty (30). One wing of the proposed structure will be completed in each phase. Each wing is designed with a common double-loaded corridor. Utility/trash rooms are located at the end of the corridors, with the elevator and common spaces located at the center of the building. Common spaces include a community room with kitchenette and vending machines, management and aide offices, and a computer area for residents on the first floor. The upper floors offer laundry rooms, a game room, library, and trash rooms. Maintenance spaces are located in the basement level. A large covered entry is provided outside the main entrance where residents can gather and socialize.

D. Exterior Elevation Description

Consistent with similar buildings in Wenham, the Applicant proposes to use exterior elevations combining the use of clapboard siding, asphalt roofing, and red brick. The Applicant proposes a large covered canopy at the entrance of the building, accented with a standing seam metal roof. The front façade will be comprised of a series of alternating building masses, clad in both white clapboard siding and red brick veneer. The brick building elements help anchor the alternating masses, and are topped with gambrel roofs. The brick anchors wrap around to the end elevations,

further accenting the more visible building facades. The rear elevation is a simplified version of the front façade, with white clapboard siding and asphalt gambrel roofs. A further level of detail is added to the building elevations with a series of composite decks, railings, and Juliet balconies for use by the residents. Windows and doors will be finished with PVC trim at clapboard siding and brick headers/sills at the brick veneer. The gambrel roofs reduce the scale of the building and the blending of traditional building materials at the exterior elevations accentuates the feeling of being “home.”

E. Building Construction

The proposed building will be slab on grade construction with concrete foundation walls and conventional platform framing above. Batt insulation and a continuous layer of rigid insulation at the exterior wall and spray foam insulation between roof joists will be provided to meet the current Energy Stretch Code requirements. Exterior elevations will include a combination of clapboard siding, PVC trim, and veneer brick accents. Roofing will be asphalt shingles. Exterior doors will be aluminum storefront at the entry and hollow metal at utility areas. Interior doors will be solid core and rated (where applicable) with level type, ADA approved hardware. Exterior windows will be fiberglass single-hung windows with ½ screens.

All walls will be finished with 5/8” gypsum wallboard (type X at rated assemblies). Bathroom and kitchen walls will be moisture-resistant wallboard. All interior walls and ceilings will be painted, and all flooring will be low- or no-VOC. The rental apartments will include vinyl plank flooring throughout and carpet in the bedrooms. Common rooms and corridors will be carpeted.

An elevator will serve all three (3) stories of the building, and three (3) egress stairways will also be provided throughout the building.

Electric heat pumps will provide heating, cooling and ventilation, including individual space controls and equipment for separate utility metering. New plumbing supply, waste and vent lines will be provided for all plumbing fixtures. The fire sprinkler system will be a wet-type system except at unheated spaces where a dry system will be required. The electrical design will include lighting, site lighting, power, fire alarm including fire protective signaling and automatic fire detection systems. Each apartment unit will be metered separately. Carbon monoxide smoke detectors will be provided per code. All systems will meet all applicable state and local plumbing, heating and electrical codes.

Under the Proposed Conditions, approximately 75,000 square feet of the Property would be covered by impervious surfaces, which includes the project access drive, parking areas and the proposed building layout.

A tabular analysis of the proposed buildings, in compliance with 760 CMR 56.05(2)(d) is attached hereto as Exhibit E.

7.0 Existing Site and Surrounding Site Area Conditions (See 760 CMR 56.05(2)(b)).

A. Existing Conditions

The Property is currently held in Chapter 61 forestry land. The Property is located on Maple Street, in close proximity to the intersection of Maple Street and Burley Street. The current owner has his primary single residence just to the west of the site and his construction building just to the east. Next to the construction building to the east is an auto repair and sales facility. The balance of Maple Street to the west and east is made up of single family

homes close to the road. The majority of the site is set back over 500 feet from the road and behind a number of the single family homes. To the west of the proposed building is currently Chapter 61 land. Burley Brook, an intermittent stream, is 50 feet to the West of the proposed building. The rear of the site to the north consists of many acres of undeveloped land. Much of this land is wetlands. To the east of the site, in the rear of the construction shop at 62 Maple Street, is a Christmas tree farm in Chapter 61A status. The entire site is outside of the 100 foot buffer zone related to the wetlands to the east (but is within the buffer zone to the west). The Applicant has obtained an Order of Resource Area Delineation (ORAD) dated January 27, 2014 from the Wenham Conservation Commission, pursuant to DEP File No. 3260342, establishing the location of the wetland lines on the Site. The Applicant will submit a Notice of Intent with the Wenham Conservation Commission as part of the approval process for the Project.

B. Existing Public Utilities

Existing public utilities in the area of the Project include water, gas and electricity.

C. Historic or Archeological Features of Significance

The Project Site does not appear to have any significant historic or archeological features.

D. Significant Natural Resource or Wildlife Habitat

The Massachusetts Natural Heritage Atlas, 2008, 13th Edition, was reviewed to obtain information regarding any significant natural resource or wildlife habitat areas. A review of the maps for both Priority Habitats of Rare Species and Estimated Habitats of Rare Wildlife

and Certified Vernal Pools indicated no vernal pools or rare wildlife habitats on the subject site.

8.0 Proposed Landscaping/Buffers

The Project will have a tree-lined entrance via Maple Street punctuated by a low farmer's wall, split rail fencing and low ornamental plantings. As the driveway opens up to the larger Site, a four foot (4') grass maintenance strip along the road transitions into a naturalized meadow and groves of River Birch, Maple and Oak trees. An open lawn along the southern portion of the Site will provide passive recreation opportunities for the residents, and needed outdoor space for events. This lawn is framed by low native plantings and a walking path with a seating area. Highlights of the Landscaping Plan include:

- Use of native plant material throughout the Site based upon growth habit, habitat value and drought tolerance
- Planting of large shade trees throughout the Site
- Heavily screened multi-tiered planting areas along the southern edge of the Property near abutting properties
- Preservation of existing hedge to maintain existing screening
- Creation of a walking path for residents, separated from the entry driveway and parking area
- Creation of a patio area with benches for seating
- Creation of a defined central open lawn space for events and passive recreation
- Incorporation of large meadow areas around the perimeter of the Site for habitat value, aesthetics and reduce long-term maintenance and water use

- No exterior irrigation for plantings, lawn and meadow areas other than temporary measures during establishment phase
- Pedestrian scale twelve foot (12') light poles with traditional style fixtures throughout the Site with light directed downward and away from abutting properties.

9.0 Project Impacts

A. Municipal Services

1. Water Supply

The Project will be serviced by public water from the Wenham public water system. The Applicant is cognizant of concerns about the impact of water use upon the Ipswich River Watershed, and has taken measures to minimize such impacts. Design of the building internal water system will include low flow fixtures to minimize impacts to the water system. Landscaping improvements will utilize native species drought resistant plants, and no irrigation will be used except at the initial establishment of the landscaping. The applicant is also investigating other alternatives to further minimize impacts to the water system. The Applicant is prepared to discuss potential additional measures for minimizing the impacts upon the Ipswich River Watershed during the course of the public hearing.

2. Sewage Treatment (Wastewater)

Wastewater will be managed on site via system consisting of a septic tank, pump chamber, a Waterloo Biofilter secondary treatment unit, and a pressure-distribution leach field, which is divided into four (4) equally-sized smaller zones. This state-of-the-art system will exceed the Title V requirements administered by the DEP.

3. Stormwater

The stormwater management system for the proposed project is designed in conformance with the Massachusetts Department of Environmental Protection (MADEP) Stormwater Management Standards. The main component of the system is a subsurface infiltration facility located onsite which consists of Cultec polyethylene chambers surrounded by stone. The facility has been designed to provide capacity to store, treat and recharge stormwater flows from the project for a 100 year storm event. Additional treatment of stormwater from paved surfaces will be provided through the use of deep sump catch basins and stormceptor vortex units. No adverse impact on the municipal stormwater drainage system should be generated by the Project, as the Project will not connect to the municipal stormwater system.

4. Public Safety

Impacts to public safety would be associated with adequate access to and from the Site. Public safety vehicle access to and from the Site is via Maple Street, a public way. The Project will have no adverse impact upon public safety. A traffic study will be provided separately from this application, during the course of the hearing process.

The Applicant has met with public safety officials, and has agreed to install a solar-powered speed detection sign on Maple Street, at a location to be determined in consultation with the Police Department. The Applicant has also indicated that it is willing to host any communication equipment, as requested by the Fire Department or the Police Department. The Applicant is also willing to allow the use of the Project as an emergency shelter, as needed by the Town.

5. Utilities

Utilities, including electric and cable television will be extended to the Site from Maple Street, as shown on the Site Development Plans. No adverse impacts relative to public services or utilities to abutting properties or to the Town in general are anticipated.

B. Construction Impacts

Anticipated impacts of the Project associated with the construction process include erosion and sedimentation, noise, dust and debris control. Although these impacts will be temporary in nature, mitigations controls will be in place. Such controls include the following:

1. Construction sequencing, best management practices for erosion control, equipment and vehicle management, material storage and use, waste disposal and spill prevention and response.

2. A daily inspection of Site conditions, as needed, to control dust during construction and to provide watering, as required.

C. Historical and Archeological Impacts

The Applicant is not aware of any historical or archeological impacts that will result from the Project.

D. Environmental Impacts

The Applicant does not expect the Project to result in adverse environmental impacts to the site. As noted above, the Applicant will take appropriate mitigation measures to address potential impacts to the Ipswich River Watershed.

E. Traffic Impacts

The Applicant does not anticipate any significant traffic impacts from the Project to the surrounding roadway system. As noted above, a traffic study will be submitted separately from the submittal of this application.

10.0 Zoning Exemptions (See 760 CMR 56.05(2)(h))

Pursuant to the Act and regulations adopted pursuant thereto, the Project shall be exempt from all provisions of the Wenham Zoning By-laws, including, without limitation, the following provisions applicable to lots located within the Residential Zoning District:

REGULATION/ SECTION #	REQUIRED/PERMITTED	PROVIDED	WAIVER REQUESTED?
USE	Single Family Housing	Multi-family rental housing	YES
LOT AREA	40,000 s.f.	151,555 s.f.	NO
FRONTAGE	170 ft.	58.6 ft.	YES
LOT WIDTH	100 ft.	295 ft.	NO
FRONT YARD	20 ft.	415 ft.	NO
REAR YARD	15 ft.	34 ft.	NO
SIDE YARD	15 ft.	32 ft.	NO
MAXIMUM HEIGHT (ft.)	35	34 ft. 9 in.	NO
MAXIMUM LOT COVERAGE	50%	49.4%	NO
STRUCTURES PER LOT	1	1	NO

11.0 Other Exemptions (See 760 CMR 56.05(2)(h))

In addition, pursuant to M.G.L. Chapter 40B, Section 20-23 and the regulations promulgated thereunder, the Project shall be exempt from all provisions of all other local by-laws, including, without limitation, the following:

1. The Project shall be exempt from the following additional provisions of the Wenham Zoning Bylaws, effective with amendments through 2012:
 - a. Section 5.2.6.2 - Restricting an access driveway to a residential dwelling to not more than five hundred feet (500'). The Applicant requests a waiver of this provision, to allow an access driveway to the Project to be approximately eight hundred and fifty feet (850').
 - b. Section 7.1.1 – Limiting signage on the property to one sign pertaining to the use thereof or having the name and occupation of the occupant or occupants, and no such sign shall exceed two square feet in area. Waiver requested to allow two signs, the first (a fence sign) containing 12 square feet, and the second located in the stone wall containing 12 square feet.
 - c. Section 10.1 – Prohibiting the grading and redistribution of earth on the site without a Special Permit issued by the Planning Board. Waiver requested authorizing the grading and redistribution of earth on the Site in the approximate amount of 3,700 cubic yards.
 - d. Section 13.5 - Requiring Site Plan Review for construction of a residential structure with two (2) or more dwelling units. Waiver requested allowing the construction of a single structure with sixty (60) dwelling units without the requirement of Site Plan

Approval.

2. The Project shall be exempt from all provisions of the Subdivision Rules and Regulations of the Planning Board in the Town of Wenham, with revisions through 1984, as the Project does not constitute a subdivision. The foregoing notwithstanding, the Project would require the following waivers if the Rules and Regulations were applicable:

a. Section 5.4.1.1.2(a) - Requires all pipes except sub-drains to be reinforced concrete pipe. Waiver requested to allow the use of HDPE pipes, which is the standard in the construction industry.

b. Section 5.4.1.1.2(b) - Requires drain pipes to be concrete pipe twelve inches (12") or larger in diameter, and all pipe located under roadways shall be reinforced. This section also required at least three feet (3') of cover over drain pipes. Waiver requested to allow the use of HDPE pipe with a minimum of two feet (2') of cover over the pipe.

c. Section 5.5.3.1 - Requires sidewalks within a subdivision to be separated from the road pavement by a seeded grass plot. Waiver required to allow portions of the sidewalk to be located directly adjacent to the access driveway and parking lot (as shown on the Site Plans).

3. The Project shall be exempt from the Rules and Regulations of the Wenham Board of Health.

4. The Project shall be exempt from the Town of Wenham Water Resource Protection Bylaw and the Town of Wenham Water Resource Protection Bylaw Regulations.

5. The Project shall be exempt from the filing fee requirements established by the Zoning Board of Appeals, Planning Board, Conservation Commission, or other Town

entity, except for fees specifically relating to Comprehensive Permit Applications.

The Project shall be exempt from any other applicable zoning or related municipal ordinances so far as the same may be at variance with the Project or the Site Development Plans or the Architectural Plans as filed.

12.0 M.G.L. Chapter 40B & Local Housing Needs

The Act, known as the Anti-Snob Zoning Act, provides in relevant part that all communities are required to have a minimum of 10% of their housing stock dedicated to low to moderate income housing. (See M.G.L. c. 40B, §20 and 760 CMR 56.03(3)(a). Based on most recent applicable data available, the stock of housing utilized in Wenham for low to moderate income purposes is approximately 8.3%, below the 10% requirement. (See DHCD Chapter 40B Subsidized Housing Inventory as of April 30, 2013, attached hereto as Exhibit F). With the Town being below the required 10% threshold, there exists a legal presumption that there is a regional housing need which outweighs local concerns. In such case, the municipality generally must approve the Comprehensive Permit or approve it with conditions. In order to deny a Comprehensive Permit application under such circumstances, a municipality must prove that the Project will impact municipal services in a manner that presents an "irremediable hazard of gravity that outweighs regional housing needs." See Wilson Street Trust v. Town of Norwood, No. 71-06 slip op. at p. 26 (Mass. Housing Appeals Committee, February 13, 1974).

Moreover, if a city or town attempts to rebut the presumption that there is a substantial regional housing need which outweighs local concern, the weight of the housing need will be deemed to commensurate with the proportion of the city or town's population that consists of low income persons.

The Applicant proposes and agrees that 100% of the total number of units in the Project will be dedicated as affordable units. Moreover, the Applicant proposes and agrees that forty-eight (48) of the units will be made available to households earning below sixty percent (60%) of Area Median Income ("AMI"), and twelve (12) units will be made available to households earning below thirty percent (30%) of AMI. Such units will be dispersed evenly throughout the Project. The affordable units will be made available on a lottery basis, on terms acceptable to the Subsidizing Agency, to qualified applicants, as determined by the Massachusetts Department of Housing & Community Development. Affordable units will be "locked in" as affordable in perpetuity.

13.0 Filing With Other Boards

The Applicant will file a Notice of Intent with the Wenham Conservation Commission consistent with its jurisdiction pursuant to G. L. c. 131, § 40 (the "Wetlands Protection Act") and the regulations promulgated thereunder. The Applicant will also file with the Wenham Board of Health for approval of the septic system pursuant to Title V.

14.0 Additional Information

The Applicant reserves the right to provide, and anticipates providing, additional information to the Board of Appeals during the hearing process.

15.0 Phasing

The Applicant intends to construct the Project in two phases, the first phase consisting of the construction of a thirty (30) unit structure and all associated infrastructure for such units.

16.0 Summary

The within Application proposes an attractive, well-designed, affordable housing

development that will address a long-standing and serious shortage of housing targeted to seniors over the age of fifty-five (55) earning substantially below the standard affordable threshold of 80% AMI. The Site design and existing conditions afford ample area to accommodate the proposed development and provide substantial open space. Moreover, the Project has been designed to minimize and mitigate potential impacts to municipal systems and services.

The Applicant respectfully submits that the Project will meet a severe regional and local need for affordable housing while also addressing the health, safety and environmental concerns of Wenham residents.

Respectfully submitted,
MAPLE WOODS HOUSING LLC
By its Attorneys,
REGNANTE, STERIO & OSBORNE LLP



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